

Docket No.: 1691-0217PUS1  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Yuzuru UMEDA et al.

Application No.: NEW

Confirmation No.: N/A

Filed: April 5, 2006

Art Unit: N/A

For: OPHTHALMIC COMPOSITION FOR  
TREATING TEAR DYSFUNCTION

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT (IDS)**

MS PCT  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement accompanies the new patent application submitted herewith.

Copies of the references on the PTO/SB/08 are not provided.

Those documents which are marked with a double asterisk (\*\*) next to the Cite No. in the attached form PTO/SB/08 (facsimile) are not supplied because they were previously cited by or submitted to the Office in a prior application number PCT/JP2004/014774, filed September 30, 2004.

Application No.: NEW

Docket No.: 1691-0217PUS1

A concise explanation of relevance of the items listed on form PTO/SB/08 is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

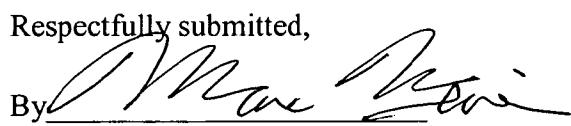
In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: April 5, 2006

Respectfully submitted,

By   
Marc S. Weiner  
Registration No.: 32,181  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Road  
Suite 100 East  
P.O. Box 747  
Falls Church, Virginia 22040-0747  
(703) 205-8000  
Attorney for Applicant

104574615

AP9 Rec'd PCT/PTO 05 APR 2006

PTO/SB/08a/b (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO				<i>Complete if Known</i>	
				Application Number	NEW
				Filing Date	April 5, 2006
				First Named Inventor	Yuzuru UMEDA
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	1691-0217PUS1

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Knd Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
AA*		US-5,116,868-A	05-26-1992	Chen et al.	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		BA** JP-10-265378-A	10-06-1998		
		BB** WO-01/51065-A1	07-19-2001		
		BC** JP-2001-89366-A	04-03-2001		
		BD** JP-2003-313124-A	11-06-2003		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with a single asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. \*\* CITE NO.: Those document(s) which are marked with a double asterisk (\*\*) next to the Cite No. are not supplied because they were previously cited by or submitted to the Office in a prior application relied upon in this application for an earlier filing date under 35 U.S.C. 120. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T <sup>2</sup>
	CA**	Hitoshi WATANABE, The Journal of the Eye, 1997, vol. 14, no. 11, pages 1647 to 1653			
	CB**	Ikuko TODA et al., The Journal of the Eye, 1991, vol. 8, no. 7, pages 1021 to 1027			
	CC**	Satoshi SUZUKI et al., Nichigankaishi, 1997, vol. 101, no. 1, pages 52 to 56			
	CD**	Tsutomu INATOMI, Journal of Japan Contact Lens Society, 1999, vol. 41, no. 4, pages S7-S13			
	CE**	Murato Doru, The Japanese journal of ophthalmic caring, 01 May, 2003, vol. 5, no. 5, pages 406 to 410			
	CF**	ZHANG, Y. L. et al., Journal of Colloid and Interface Science, 01 June, 2003, vol. 262, no. 1, pages 130 to 148			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \*\* CITE NO.: Those document(s) which are marked with a double asterisk (\*\*) next to the Cite No. are not supplied because they were previously cited by or submitted to the Office in a prior application relied upon in this application for an earlier filing date under 35 U.S.C. 120.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	/Sriram Kasturi/	Date Considered	07/10/2008
--------------------	------------------	-----------------	------------